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8 STAN CHIN, individually and dba PRIMOFITNESS

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 FITNESS ANYWHERE, INC.,

14 Plaintiff,

15 v.

16 STANLEY YAN, individually and doing  
business as OCEAN-MOON-STAR, et al.,

17 Defendants.  
18  
19

CASE NO. C09-04815 RS

**ORDER ON STIPULATION  
REGARDING CLAIM  
CONSTRUCTION**

**Date: October 13, 2010  
Time: 1:30 p.m.  
Courtroom 3**

**Honorable Richard Seeborg**

20  
21 The Court, having considered the Stipulation Regarding Claim Construction of Plaintiff  
22 Fitness Anywhere, Inc. ("Plaintiff") and Defendant Stan Chin, individually and dba  
23 PRIMOFITNESS (hereinafter "Defendant"), and good cause appearing therefor,

24 IT IS HEREBY ORDERED that the only remaining disputed claim term, "flat strap"  
25 should be construed as "A strap that is flat, having a surface that is relatively broad in relation to  
26 depth or thickness."

27 IT IS FURTHER ORDERED that because Plaintiff and Defendant have agreed to the  
28 construction of all claim terms of the patent-in-suit, the *Markman* hearing set for 1:30 p.m. on

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ORDER RE: CLAIM CONSTRUCTION  
CASE NO. C09-04815 RS.

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October 13, 2010, is VACATED and taken off of the Court's calendar.

IT IS SO ORDERED.

DATED: October 12, 2010



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Honorable Richard Seeborg  
U.S. DISTRICT COURT JUDGE